

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2871 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO
1 to 5 No

GOVIND SITARAM

Versus

DY. COMMISSIONER OF POLICE

Appearance:

MR YN OZA for Petitioner

MR BY MANKAD as instructed by MR SP HASURKAR
for Respondents.

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 30/11/1999

ORAL JUDGEMENT

In this petition, it is prayed that the departmental proceedings initiated by the respondent No.1 be quashed and set aside till the criminal cases pending against the petitioner are finalised. At the initial stage, while admitting the petition, the interim relief as prayed for was not granted and the ad-interim relief

granted earlier was vacated.

2. Today, when the matter is called out for final hearing, the learned advocate appearing for the respondents states that the petitioner is convicted in Criminal Case No.17 of 1988 and by the order dated 4.10.1990, punished with rigorous imprisonment for five years and a fine of Rs.500/-. Upon such conviction, the petitioner is also dismissed from his service under the respondents by the order dated 30.3.1991. The said order is being placed on record.

3. The learned advocate appearing for the petitioner does not dispute the facts of conviction and dismissal of the petitioner from service as mentioned above. under these circumstances, this petition does not survive and the reliefs as prayed cannot be granted. Therefore, the petition is dismissed. Rule is discharged with no order as to costs.

Sd/-

(KMG Thilake)

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